

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TROY P. REGAS,)
Plaintiff,) 3:10-cv-0366-LRH-VPC
v.)
FREEMONT INVESTMENTS & LOAN;)
et al.,)
Defendants.)

)

Before the court is defendants BAC Home Loans Servicing (“BAC”) and Mortgage Electronic Registration Systems, Inc.’s (“MERS”) motion to dismiss. Doc. #6.¹ Also before the court is defendants Quality Loan Service Corporation (“QLS”), LSI Title Company, and LSI Title Agency, Inc.’s (collectively “LSI”) motion to dismiss. Doc. #12.

On February 1, 2007, Regas purchased real property through a mortgage note and deed of trust originated by defendant Fremont Investment & Loan. Regas defaulted on the mortgage and defendants initiated non-judicial foreclosure proceedings.

On May 5, 2010, Regas filed a complaint against defendants. Doc. #1, Exhibit 1. In response, moving defendants filed the present motions to dismiss. Doc. ##6, 12. Thereafter, Regas filed a motion to file an amended complaint (Doc. #22) which was granted by the court (Doc. #26).

¹ Refers to the court's docket entry number.

1 An amended complaint was subsequently filed on August 16, 2010. Doc. #27.

2 The amended complaint supersedes the original complaint in its entirety. Accordingly,
3 moving defendants' motions to dismiss the original complaint are now moot. The court shall deny
4 the motions without prejudice because moving defendants have not yet had the opportunity to
5 respond to the new allegations and claims in the amended complaint.

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7 IT IS THEREFORE ORDERED that defendants' motion to dismiss (Doc. #6) is DENIED
8 without prejudice.

9 IT IS FURTHER ORDERED that defendants' motion to dismiss (Doc. #12) is DENIED
10 without prejudice.

11 IT IS SO ORDERED.

12 DATED this 15th day of December, 2010.



15 LARRY R. HICKS
16 UNITED STATES DISTRICT JUDGE
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